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April 27, 2016

Honorable Leda Dunn Wettre, U.S.M.J.
Martin Luther King Building & U.S. Courthouse
50 Walnut Street Room 4015
Newark, NJ 07101

Re: C.G.B. v. Santa Lucia, et al.
Civil Action No.: 2:15-cv-03401-SDW-LDW

Dear Judge Wettre:

As counsel for the defendants, Varoujan Khoroizian and his son Kyle Khoroizian, we write in accordance with paragraph 10 ("Motion Practice") of Magistrate Judge Cathy Waldor's Pretrial Scheduling Order requiring the party seeking to file a Motion first file a letter with this court seeking permission to do so. See Document 14. We now seek your authority to file a Motion for Summary Judgment. This letter application is being forwarded to this court based upon the Text Order posted yesterday (4/26/16) reassigning this civil action to Judge Wigenton and yourself as the Magistrate. See Document 19.

The plaintiff, who is a 49-year old woman born in Cameroon, filed a Complaint against four defendants, including Aida Santa Lucia, who is represented by separate counsel. We note that Aida's lawyer via letter ECF filed on April 26, 2106 also seeks leave to file multiple Motions with this court. See Document 18. As set forth in the codefendant's letter, Aida is the sister-in-law of our client, Varoujan Khoroizian. Also named as a defendant is Derek Khoroizian, Varoujan Khoroizian's son, who is deceased.

According to her Complaint, the plaintiff met with the codefendant (Aida Santa Lucia) in Cameroon in July 2013. The pleading asserts that Aida Santa Lucia was working with an entity from Cameroon known as Transafrica Nutech S.A., which had secured a contract with the Cameroon government to develop a housing project known as Nkombassi City. Transafrica was to develop this housing project in partnership with several American companies. Per the Complaint, Aida Santa Lucia was working with Transafrica as an intermediary with these American companies. As part of this business project, Transafrica offered Aida Santa Lucia a job to work as an interpreter in America. The plaintiff voluntarily accepted this position, including the plaintiff applying for a Visa, which was granted for travel on a temporary basis to the U.S. for business purposes. The plaintiff traveled to New Jersey in advance of the other Transafrica employees, as well as representatives of Cameroon. Rather than have the plaintiff reside by herself, Transafrica's representatives asked Varoujan Khoroizian, as the brother-in-law

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of Aida Santa Lucia, if he would allow the plaintiff to live in his residence. Varoujan agreed to do so as a courtesy. When the business in the U.S. was completed, the Transafrica employees, along with the Cameroon officials, returned to Cameroon. The plaintiff did not. Subsequent thereto, the plaintiff insisted that the defendants support her application for a permanent Visa. When the defendants refused to do so, the plaintiff left the residence of Varoujan Khorozian. Nothing further was heard from the plaintiff until the filing of the pending action.

With the above background in mind, the plaintiff has alleged multiple, frivolous causes of action that are harmful to the defendants' business and personal interests. By way of example, the plaintiff alleges that defendants engaged in conduct resulting in "forced labor" by the plaintiff in violation of federal human trafficking laws. Similar claims were made with respect to New Jersey human trafficking laws. The plaintiff further alleged that she was falsely imprisoned, and that she came to America based upon fraudulent misrepresentations.

Prior to engaging in expensive discovery, including potential travel to Africa, the moving parties respectfully request leave of this court to file a Motion for Summary Judgment. First, with respect to Kyle, he is a young adult who had nothing whatsoever to do with the plaintiff coming to New Jersey. Rather, he is a defendant in a lawsuit merely because he is the son of his father, who was kind enough to allow the plaintiff to live in his home on a temporary basis. Neither of our clients traveled to Cameroon to make arrangements with the plaintiff to come to the U.S.

For the reasons set forth above, we respectfully request leave to file a Motion for Summary Judgment on behalf of the defendants. While making this request, we emphasize that the plaintiff has provided no factual discovery to support her allegations that defendants engaged in conduct tantamount to "forced labor" in violation of human trafficking laws. The plaintiff, whose immigration status in America is questionable, brings this lawsuit, yet fails to provide any factual support either by way of pretrial disclosures or responses to discovery. Justice requires leave to file the requested dispositive application. We await this court's response to this application.

Respectfully submitted,

HILL WALLACK LLP

By: 

Victoria J. Airgood

GHH:kg

cc: All counsel of record – via ECF